FILEI

### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

DEC 3.0 1988

Jack C. Silver, Clerk S. EISTRICT COUR

UNITED STATES OF AMERICA,	)
Plaintiff,	)
v.	86-CR-49-01-B
OSCAR FOSTER GONZALES	)
Defendant.	)

#### **ORDER**

The Court has for consideration the Report and Recommendation of the Magistrate filed December 13, 1988 in which the Magistrate recommended that the Defendant's Second Motion to Vacate, Set Aside, or Correct Sentence be denied.

No exceptions or objections have been filed and the time for filing such exceptions or objections has expired.

After careful consideration of the record and the issues, the Court has concluded that the Report and Recommendation of the Magistrate should be and hereby is affirmed.

It is, therefore, Ordered that the Defendant's Second Motion to Vacate, Set Aside, or Correct Sentence is denied.

Dated this 30 day of December, 1988.

THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

DEC 28 1988

NORTHERN

DISTRICT OF

OKLAHOMA

Jack C. Silver, Clerk U.S. DISTRICT COURT

#### UNITED STATES OF AMERICA

V.

**JUDGMENT IN A CRIMINAL CASE** 

GLORIA LASH**Q**NE DENNEY P. O. Box 804 Haskell, Oklahoma 74436

SSN: 448-64-6678

Case Number: 88-CR-95-001-B

(Name and Address of Defendant)

Jane Ann Cobb

Attorney for Defendant

#### THE DEFENDANT ENTERED A PLEA OF:

THE DEFENDANT ENTERED AT BEAUTY	
[☑ guilty ☐ nolo contendere] as to count(※) Two of the Indictment ☐ not guilty as to count(s)	, and
THERE WAS A:  [[x] finding   verdict] of guilty as to count(s) Two of the Indictment	
THERE WAS A:  [ finding verdict] of not guilty as to count(s)  judgment of acquittal as to count(s)  The defendant is acquitted and discharged as to this/these count(s).	
The detendant is acquitted and discharged as to this/these count(s).	

### THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

having violated Title 18, United States Code, Section 495, Uttering a United States Treasury Check.

#### IT IS THE JUDGMENT OF THIS COURT THAT:

The Defendant is placed on Probation for a term of Two (2) Years.

In addition to the usual conditions of Probation, the Defendant is ordered to reside in the Salvation Army Pre-Release Center, Tulsa, Oklahoma, for a period of sixty (60) days, and fined \$200.00 to be paid during the term of Probation as directed by the U. S. Probation Officer.

Execution of the the condition of probation requiring the Defendant to reside at the Salvation Army Pre-Release Center, Tulsa, OK for a period of Sixty (60) days is deferred until 11:00 a.m. on Friday, January 6, 1989, at which time Defendant is to present herself to the designated Institution.

In addition to any conditions of probation imposed above, IT IS ORDERED that the

Where probation has been ordered the defendant shall:

(1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer; associate only with law-abiding persons and maintain reasonable hours; fy

your probation officer at once, and consult nim prior to lob ch	al dependents, if any, to the best of your ability. (When out of work noti- nanges);
<ul> <li>(4) not leave the judicial district without permission of the proba</li> <li>(5) notify your probation officer immediately of any changes in your</li> </ul>	ition officer:
(6) follow the probation officer's instructions and report as direc	eted.
The court may change the conditions of probation, reduce or ex-	xtend the period of probation, and at any time during the probation and
during the probation period.	by law, may issue a warrant and revoke probation for a violation occurring
IT IS FURTHER ORDERED that the defendant shall pa	ay a total special assessment of \$_50.00
pursuant to Title 18, U.S.C. Section 3013 for count(x)_	Two of the Indictmentas follows
Ct. 2 - \$50	
IT IS FURTHER ORDERED THAT counts One and on the motion of the United States.	Three of the Indictment are DISMISSED
amount imposed as a cost of prosecution. Until all	pay to the United States attorney for this district any amoun- ent. The defendant shall pay to the clerk of the court any fines, restitution, special assessments and costs are fully ited States attorney for this district of any change in name
IT IS FURTHER ORDERED that the clerk of the co States marshal of this district.	ourt deliver a certified copy of this judgment to the United
☐ The Court orders commitment to the custody of	the Attorney General and recommends:
,	the recommends.
December 28, 1988	
Date of Imposition of Sentences	<del>-</del>
Vancer AN/2018	
Signature of Judicial Officer	United States District Court ) SS
Thomas R. Brett, U. S. District Judge	Northern District of Oklahoma )  1 hereby certify that the foregoing
Name and Title of Judicial Officer	is a true copy of the original on file
December 28, 1988	in this Court. Jack C <sub>s</sub> Silver, Clerk
Date	- Il Oileste
R	ETURN By 1 Deputy
I have executed this Judgment as follows:	
Defendant delivered on to to	at
Date	
General, with a certified copy of this Judgment in a Cri	, the institution designated by the Attorney iminal Case.
	United States Marshal
	- ··· otatoo maranar

Ву\_\_\_\_\_

DEC 22 1988

NORTHERN	DISTRICT OF	OKLAHOMA

Jack C. Silver, Clerk U.S. DISTRICT COURT

#### UNITED STATES OF AMERICA

V. JUDGMENT IN A CRIMINAL CASE WILLIAM STEVE WOOD
Route 1, Box 63

SSN: 587-08-3685

THE DEFENDANT ENTERED A PLEA OF:

Chunky, Mississippi

(Name	and	Address	of	Defendant)
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Steve	Gruebel	
	Attorney for Defendant	

Case Number: 88-CR-126-001-E

THE BEI ENDING ENGLISHED OF SERVICE	
[☑ guilty ☐ nolo contendere] as to count(☎) <u>One of the Information</u> ☐ not guilty as to count(s)	, and
THERE WAS A:  [[x] finding   verdict] of guilty as to count(s) One of the Information	
THERE WAS A:  [ finding verdict] of not guilty as to count(s) judgment of acquittal as to count(s)	

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF: having violated Title 18, United States Code, Section 2314; Interstate Transportation of Stolen Property.

The defendant is acquitted and discharged as to this/these count(s).

#### IT IS THE JUDGMENT OF THIS COURT THAT:

The Defendant is hereby sentenced to probation for a period of Three (3) Years.

IT IS FURTHER ORDERED that the Defendant pay a Fine in the amount of \$500 before the end of his probationary term.

$\Delta \Omega$	245	(Ray	verse)
$\sim$	243	I Dev	verser

	CONDITIO	NS OF PROBATI	ON	
Where probation has been ordered the defend	dant shall:			
<ol> <li>refrain from violation of any law (fede questioned by a law-enforcement office)</li> <li>associate only with law-abiding persons</li> <li>work-regularly at a lawful occupation a your probation officer at once, and cons</li> <li>not leave the judicial district without persons</li> <li>follow the probation officer immediatel</li> <li>follow the probation officer's instruction</li> <li>The court may change the conditions of proor within the maximum probation period of during the probation period.</li> </ol>	r; and maintain reason and support your leg ult him prior to job ch mission of the proba y of any changes in y as and report as direct obation, reduce or es 5 years permitted b	nable hours; al dependents, if an anges); ation officer; your place of residence ted. xtend the period of by law, may issue a	e; to the best of your ability.  ce; probation, and at any time duwarrant and revoke probation	(When out of work notify uring the probation period for a violation occurring
pursuant to Title 18, U.S.C. Section 3 Ct. 1 - \$50	•	·		
IT IS FURTHER ORDERED THAT co on the motion of the United States		Applicable	3	are DISMISSED
IT IS FURTHER ORDERED that the imposed as a fine, restitution or amount imposed as a cost of prospaid, the defendant shall immediate and address.	special assessm secution. Until al	ent. The defend I fines, restitution	lant shall pay to the cle on, special assessments	erk of the court any and costs are fully
IT IS FURTHER ORDERED that the States marshal of this district.	e clerk of the c	ourt deliver a ce	ertified copy of this jud	gment to the United
December 22, 1988  Date of Imposition of Sentence	to the custody of	the Attorney Ge	eneral and recommends:	
Signature of Judicial Officer		<del></del>		
James O. Ellison, U. S	. District	Judge	United State	es District Court } ss
Name and Title of Judicial Officer			Northern Dis	Irict of Obligherma j 🥯 and villed Bus Teregolog
December 22, 1988			is a true con	)/ of the original on tile
Date		<del></del>	<b>in t</b> his Court	Jack C. Silver, Glerk
		RETURN		
I have executed this Judgment as fo				By 374 Cu Clough Deputy
Defendant delivered on				at
Date General, with a certified copy of this		Niminal Cass	, the institution desigr	nated by the Attorney
General, with a certified copy of this	s suagment in a C			
		Ву	States Marshal	
		Dentito	Morchal	

### UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	
Plaintiff,	BEC 21 HOS
vs.	JACK C. SALVEA. CLERK U.S. DISTRICT COURT
JAMES WALTRIP,	)
Defendant.	) No. 88-CR-90-10-R

### MOTION AND ORDER OF DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby moves to dismiss the Second Superseding Indictment, against JAMES WALTRIP, defendant.

TONY M. GRAHAM
United States Attorney

Assistant United States Attorney

Leave of court is granted for the filing of the foregoing motion to dismiss and the Court hereby orders dismissal of the Second Superseding Indictment.

United States District Judge

Date:

### UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	)	FILED
Plaintiff,	)	DEC &
vs.	ý	
JOE L. WARD,	)	Jack C. Silver, Toda U.S. DISTRICT COURT
Defendant.	) ) No.	88-CR-90-06-B

#### MOTION AND ORDER OF DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby moves to dismiss the Second Superseding Indictment, against JOE L. WARD, defendant.

TONY M. GRAHAM
United States Attorney
Assistant United States Attorney

Leave of court is granted for the filing of the foregoing motion to dismiss and the Court hereby orders dismissal of the Second Superseding Indictment.

ST THOUSE D. FRET.

United States District Judge

Date:

## NORTHERN DISTRICT OF OKLAHOMA A I L

UNITED STATES OF AMERICA,	DEC 1 9 1988
Plaintiff,	Jack C. Silver, Clerk
V.	
FRANCIS JAY SMITH,	)
Defendant.	) ) No. 88-CR-93-C

#### MOTION AND ORDER FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby moves to dismiss the Indictment filed on July 13, 1988, against FRANCIS JAY SMITH, defendant.

TONY M. GRAHAM United States Attorney

BEN F. BAKER, First Assistant United States Attorney

Good cause appearing, it is so ORDERED.

(Signed) H. Dale Cook

H. DALE COOK, Chief
United States District Judge

Date:  $\frac{12 - 14 - 88}{}$ , 1988



HOEC 18 1988

NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

REGINALD LAZENBY

On May 23, 1988 the above named was placed on probation for a period of 9xxxxx months The probationer has complied with the rules and regulations of probation and is no longer in need of probation supervision. It is accordingly recommended that the probationer be discharged from probation.

Respectfully submitted,

U.S. Probation Officer

ORDER OF COURT

Pursuant to the above report, it is ordered that the probationer be discharged from probation and that the proceedings in the case be terminated.

Dated this

\_\_\_day of .\_.\_\_\_

### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	$\{FILED$
Plaintiff,	DEC 15 1887
vs.	No. 87-CR-45-E LU.S. DISTRICT COURT
LAWRENCE CANTU SAENZ,	88-C-297-E DISTRICT COURT
Defendant.	) )

#### ORDER

This matter comes before the Court on Petitioner's motion for reconsideration. On September 19, 1988 this Court denied Petitioner's <u>pro se</u> motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. §2255. After careful consideration of Petitioner's motion for reconsideration, and the reasons stated therein for urging the Court's reconsideration, the Court declines to reconsider its order of September 19, 1988.

IT IS THEREFORE ORDERED that Petitioner's motion for reconsideration is denied.

ORDERED this 14th day of December, 1988.

JAMES O. ELLISON

UNITÉD STATES DISTRICT JUDGE

### United States District Court DEC 15 1988

	NORTHERN DISTRI	ICT OF _OKLAHOM	Α	Jack C. Silver, U.S. DISTRICT C	
U	NITED STATES OF AMERICA			U.S. DISTRICT C	JUK
	<b>V</b> .	JUDGM	ENT IN A CRI	MINAL CASE	
6 T	ARRY JAMES HILL 18 East 52nd Street North Julsa, Oklahoma 74126	Case Number:	88-CR-110-C	002-в	
S	SN: 444-58-4472				
1)	Name and Address of Defendant)	June Tyl	nurst Attorney for De	efendant	
THE DEFE	NDANT ENTERED A PLEA OF:				
	☐ nolo contendere] as to count(x) <u>Two_of</u> Ity as to count(s)				_, and
THERE WA	AS A:  Use to count(s) Two of puilty as to count(s) Two of	the Indictmen	t	·	
☐ judgme	AS A:				·
	ENDANT IS CONVICTED OF THE OFFEN				

having violated Title 18, United States Code, Sections 511(a) and 2; Aiding and Abetting in Altering or Removing Motor Vehicle Identification Numbers.

#### IT IS THE JUDGMENT OF THIS COURT THAT:

The defendant be committed to the custody of the Bureau of Prisons for a period of Two (2) Years, pursuant to Title 18, United States Code, Section 3581. A Three (3) Year term of Supervised Release is also imposed, during which time the defendant is to participate in urinalysis monitoring at the discretion of the U. S. Probation Office. Restitution is to be made as directed by the U. S. Probation Office to the following: \$287.00 to Wilkerson Chevrolet, 2545 East 11th, Tulsa, Oklahoma 74104; and \$2,350.00 to University Underwriters, 800 East 101st, Suite 240, Kansas City, Missouri 64131.

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- associate only with law-abiding persons and maintain reasonable hours;
- work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- not leave the judicial district without permission of the probation officer;
- notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of position within the maximum probation period of 5 years permitted by law, may issue a during the probation period.	probation, and at any time during the probation period warrant and revoke probation for a violation occurring
IT IS FURTHER ORDERED that the defendant shall pay a total special pursuant to Title 18, U.S.C. Section 3013 for count(s) Two of the I	assessment of \$50.00
	ndictmentas follows:
Ct. 2 - \$50	
IT IS FURTHER ORDERED THAT counts Not Applicable on the motion of the United States.	are DISMISSED
IT IS FURTHER ORDERED that the defendant shall pay to the United imposed as a fine, restitution or special assessment. The defendamount imposed as a cost of prosecution. Until all fines, restitution paid, the defendant shall immediately notify the United States atto and address.	ant shall pay to the clerk of the court any
IT IS FURTHER ORDERED that the clerk of the court deliver a ce States marshal of this district.	rtified copy of this judgment to the United
☐ The Court orders commitment to the custody of the Attorney Ge	neral and recommends:
December 15, 1988	
Date of Imposition of Sentence	
Signature of Judicial Officer	For Horn District of Chabena ) SS
Thomas R. Brett, U. S. District Judge	i ki polje saminfa flasti pa fornaming Pomorni i nak ake pahyinar pa file
Name and Title of Judicial Officer	ил выз Солт. Jack <b>n</b> C. Silver, Clerk
December 15, 1988	B. A. Chi
Date	Deputy Deputy
RETURN	•
have executed this Judgment as follows:	
Defendant delivered onto	at
Date	•
General, with a certified copy of this Judgment in a Criminal Case.	_, the institution designated by the Attorney
United S	States Marshal
Π.,	

## United States District Court DEC 14 1988

NORTHERN		. Silver, Cler
UNITED STATES OF AMERICA	U.S. DI	STRICT COUR
· <b>V</b> .	JUDGMENT IN A CRIMINAL CA	ASE
WYLIE BRENT HILL McLeod Correctional Center Farris, Oklahoma	Case Number: 88-CR-110-003-B	
SSN: 440-66-9398		
(Name and Address of Defendant)	Ernest Bedford Attorney for Defendant	
	Two of the Indictment	
THERE WAS A: ☑ finding ☐ verdict] of guilty as to count(s).	Two of the Indictment	
THERE WAS A:  [ finding verdict] of not guilty as to coun judgment of acquittal as to count(s)  The defendant is acquitted and discharged	nt(s)d as to this/these count(s).	•
THE DEFENDANT IS CONVICTED OF THE	OFFENSE(S) OF:	
having violated Title 18. United State	es Code Soctions 511(a) and 2. Altoration	

IT IS THE JUDGMENT OF THIS COURT THAT:

or Removal of Motor Vehicle I.D. Numbers, Aiding and Abetting.

The defendant shall be committed to the custody of the Bureau of Prisons for a period of Eighteen (18) Months, pursuant to Title 18, United States Code, Section 3581.

IT IS FURTHER ORDERED that the defendant serve a Three (3) Year period of Supervised Release, during which time he make Restitution in the amount of \$287.00 to Wilkerson Chevrolet, 2545 East 11th, Tulsa, Oklahoma, and \$2,350.00 to University Underwriter, 800 East 101st Terrace, Suite 240, Kansas City, Missouri 64131, in amounts as directed by the U. S. Probation Office.

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the or within the maximum probation period of 5 years permitted by law, maduring the probation period.	period of probation, and at any time during the probation period ay issue a warrant and revoke probation for a violation occurring
IT IS FURTHER ORDERED that the defendant shall pay a total	
pursuant to Title 18, U.S.C. Section 3013 for count(s) Two o	f the Indictmentas follows:
Ct. 2 - \$50	
IT IS FURTHER ORDERED THAT counts One of the Incon the motion of the United States.	dictment isæc DISMISSED
IT IS FURTHER ORDERED that the defendant shall pay to t imposed as a fine, restitution or special assessment. The amount imposed as a cost of prosecution. Until all fines, paid, the defendant shall immediately notify the United Sta and address.	e defendant shall pay to the clerk of the court any restitution, special assessments and costs are fully
IT IS FURTHER ORDERED that the clerk of the court del States marshal of this district.	iver a certified copy of this judgment to the United
☐ The Court orders commitment to the custody of the Att	orney General and recommends:
December 14, 1988  Date of Imposition of Sentence  Signature of Judicial Officer  Thomas R. Brett, U. S. District Judge  Name and Title of Judicial Officer  December 14, 1988  Date  RETUR  I have executed this Judgment as follows:	Cated Steins District Geart ) SS Parthern Figure 1 on Combinna ) SS The rely of reflect the formating in a late original on the in this Court.  Jack C. Silver, Clerk  By A Quanta Deputy  N
Defendant delivered ontoto	the institution designated by the Attornov
	United States Marshal

	_	NORTHERN	_ DISTRICT OF	0KL/	AHOMA		
	UNITED ST	ATES OF AMERICA		IIIDGMI	ENT IN A CRIM	NAL CASE	
		V.	•	JUDGMI	ENT IN A CRIMI	NAL CASE	
**** .	MARCUS LEON 3704 North Qu Tulsa, Oklaho	uaker	Case Nu	ımber:	88-CR-111-001-E		
	SS #: 447-6	4-1838					
	/Name and A	address of Defendant)		Wesl	ey Gibson		
	(Name and A	address of Deteridant)			Attorney for Defe		
THE DE	FENDANT E	NTERED A PLEA OF:			HI	L $E$	D
[□ guil	ty 🗀 nolo co	ontendere] as to count(8)	Three (3) of the I	ndictment	DEC	<u> 13 1999</u>	, and
□ not	guilty as to cou	unt(s)					
****	144.C. A.				Jack C. U.S. DIS	Silver, Clei TRICT COU	k )
INERE	WAS A: ling □ verdi	ct] of guilty as to count(s	$\mathfrak{h}$ Three (3) of the $I$	ndictment			
į in inic	,g 🗀 10.0.	orline game, and a comme	-,				
[□ find	WAS A: ling □ verdi	ct] of not guilty as to couttal as to count(s)	unt(s)				
The	defendant is	acquitted and discharge	ed as to this/these c	ount(s).			
		S CONVICTED OF TH					
having	yiolated Titl	e 18, United States Cod	e, Section 1708; Pos	session	of Stolen Mail.		

### IT IS THE JUDGMENT OF THIS COURT THAT:

the defendant shall be committed to the Custody of the Bureau of Prisons for a term of Two (2) Years pursuant to Title 18, United States Code, Section 3581.

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- not leave the judicial district without permission of the probation officer;
- notify your probation officer immediately of any changes in your place of residence;

DISTRICT OF \_\_\_\_\_ NORTHERN UNITED STATES OF AMERICA JUDGMENT IN A CRIMINAL CASE ٧. SHARON KAY LAIRMORE Case Number: 88-CR-89-009 12125 E. 127th Street, South Broken Arrow, Oklahoma 74012 SS #: 443-44-6577 Jack M. Short (Name and Address of Defendant) Attorney for Defendant THE DEFENDANT ENTERED A PLEA OF: [ guilty onlo contendere] as to count(s) One (1) of the Information \_, and ☐ not guilty as to count(s)\_ THERE WAS A: finding verdict] of guilty as to count(s) One (1) of the Information THERE WAS A: [ finding verdict] of not guilty as to count(s)\_\_\_\_\_ ☐ judgment of acquittal as to count(s)\_\_\_\_ The defendant is acquitted and discharged as to this/these count(s). THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF: having violated Title 18, United States Code, Section 1952; Interstate Travel to Facilitate a Narcotics Enterprise. IT IS THE JUDGMENT OF THIS COURT THAT: the defendant shall be sentenced to a Three (3) Year term of probation.

United States District Court ) SS Northern District of Oklahoma ) I hereby certify that the foregoing is a true copy of the original on file in this Court.

iii this oceit.

Deputy

Jack C. Silver, Clerk

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- associate only with law-abiding persons and maintain reasonable hours;
- work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- not leave the judicial district without permission of the probation officer;
- notify your probation officer immediately of any changes in your place of residence;

United States Marshal	
General, with a certified copy of this Judgment in a Criminal Case.	signated by the Attorney
Date	
Defendant delivered onto	at
I have executed this Judgment as follows:	
Date RETURN	
December 13, 1988	
<u>James 0. Ellison, United States District Judge</u> Name and Title of Judicial Officer	
Signature of Judicial Officer	
Janes Allism	
Date of Imposition of Sentence	
	nas;
☐ The Court orders commitment to the custody of the Attorney General and recommer	nde:
IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this States marshal of this district.	judgment to the United
IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for imposed as a fine, restitution or special assessment. The defendant shall pay to the amount imposed as a cost of prosecution. Until all fines, restitution, special assessment, the defendant shall immediately notify the United States attorney for this district and address.	e clerk of the court any
IT IS FURTHER ORDERED THAT CONTROL as to this defendant the Indictment and Super- on the motion of the United States. seding Indictment	are DISMISSED
\$50.00	as follows:
IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$\_50 pursuant to Title 18, U.S.C. Section 3013 for count(\$\mathbb{X}\$) One (1) of the Information	
The court may change the conditions of probation, reduce or extend the period of probation, and at any time or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probating the probation period.	ne during the probation period pation for a violation occurring

DISTRICT OF \_\_\_\_ OKLAHOMA NORTHERN UNITED STATES OF AMERICA JUDGMENT IN A CRIMINAL CASE ٧. LARRY DALE DUDLEY Case Number: 5135 West 8th Street Tulsa, Oklahoma 74127 SS #: 448-48-4948 Robert Butle (Name and Address of Defendant) Attorney for Defendant THE DEFENDANT ENTERED A PLEA OF: [☑ guilty ☐ nolo contendere] as to count(¥) One (1) of the superseding Indictment not guilty as to count(s)\_ THERE WAS A: [ $igtiesize{igstar}$  finding igsquare verdict] of guilty as to count( $oldsymbol{s}$ ) One (1) of the superseding Indictment THERE WAS A: finding verdict] of not guilty as to count(s) judgment of acquittal as to count(s)\_ The defendant is acquitted and discharged as to this/these count(s). THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF: having violated Title 21, United States Code, Section 846; Conspiracy to Possess with Intent to Distribute and to Distribute Marihuana. IT IS THE JUDGMENT OF THIS COURT THAT: the defendant shall be committed to the Custody of the Bureau of Prisons for a term of Six (6) Years pursuant to Title 18, United States Code, Section 3581.

> United States District Court ) SS Northers District of Oklahema ) it territy country that the foregoing is a time-suppy of the original on the in this Court.

> > Denuby

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- associate only with law-abiding persons and maintain reasonable hours;
- work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- not leave the judicial district without permission of the probation officer:

<ul> <li>(5) notify your probation officer immediately of any changes in your place of residence;</li> <li>(6) follow the probation officer's instructions and report as directed.</li> <li>The court may change the conditions of probation, reduce or extend the period of probation, and at any time during or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation during the probation period.</li> </ul>	ing the probation period for a violation occurring
IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 50.00	
pursuant to Title 18, U.S.C. Section 3013 for count(\$\frac{x}{2}\$) One (1) of the superseding Indictment	as follows:
\$50.00	40 10110110.
IT IS FURTHER ORDERED THAT EXCUSIVES the Original Indictment	is XMN DISMISSED
on the motion of the United States.	
IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this imposed as a fine, restitution or special assessment. The defendant shall pay to the cler amount imposed as a cost of prosecution. Until all fines, restitution, special assessments paid, the defendant shall immediately notify the United States attorney for this district of a and address.	rk of the court any
IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgr States marshal of this district.	ment to the United
☐ The Court orders commitment to the custody of the Attorney General and recommends:	
December 13, 1988  Date of Imposition of Sentence  James O. Ellison, United States Judge  Name and Title of Judicial Officer  December 13, 1988  Date	
RETURN  I have executed this Judgment as follows:	
Defendant delivered on to to	
General, with a certified copy of this Judgment in a Criminal Case.	ted by the Attorney
United States Marshal	

						_	_
	NORTHERN	_ DISTRICT OF .	OKLAHON	1A 1G	TL	E	D
UNITED	STATES OF AMERICA			L	nFC8	· 198 <b>8</b>	
	V.		JUDGM	ENT IN A	CHIMINAL	CAS	<b>E</b> lerk_
JOHN LELAN 119 N. W. Baxter Spi		Case i	Number:	ENT IN A 0	Jack C. S -00 <b>s</b> .c DIST	RICT C	OURT
SS #: 49	<b>4-</b> 60-4778						
(Name a	nd Address of Defendant)			Tom Mann			
(Maine a	ng Aggreeo or Deremount,			Attorney for	or Defenda	.nt	
THE DEFENDAN	IT ENTERED A PLEA OF:						
[☑ guilty ☐ no ☐ not guilty as to	olo contendere] as to count(\$ count(s)	) One (1) of the <u>I</u>	nformation				, and
THERE WAS A: [☑ finding □ v	verdict] of guilty as to count(	<b>s</b> ) <u>One (1) of the</u>	Informatio	n			
<ul> <li>iudgment of a</li> </ul>	verdict] of not guilty as to co equittal as to count(s) t is acquitted and discharge						
THE DEFENDAN having violated I Commission of a N	NT IS CONVICTED OF TH Title 21, United States Code Narcotic Felony.	HE OFFENSE(S) (e, Section 843(b);	OF: Use of a (	Communicatio	on Facility	in the	;

IT IS THE JUDGMENT OF THIS COURT THAT: the defendant shall be sentenced to the Custody of the Attorney General for a period of Four (4) Years on the condition that the defendant be confined in a jail-type institution or treatment facility for a period of 45 days with the execution of the remainder of the sentence suspended and the defendant placed on probation for a term of Four and One-half ( $\Psi_2$ ) Years, and fined \$1,000.00.

IT IS FURTHER ORDERED that the execution of the sentence is deferred until January 3, 1989, at 9:00 am at which time the defendant shall voluntarily surrender to the U. S. Marshal, Tulsa, Oklahoma.

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- not leave the judicial district without permission of the probation officer;

(5) notity your probation officer immediately of any changes in your plants. Follow the probation officer's instructions and report as directed. The court may change the conditions of probation, reduce or extend or within the maximum probation period of 5 years permitted by law.	the period of probation, and at any time during the probation period
during the probation period.	, may issue a warrant and revoke probation for a violation occurring
IT IS FURTHER ORDERED that the defendant shall pay a t	otal special assessment of \$50.00
pursuant to Title 18, U.S.C. Section 3013 for count(3) One	of the Information as follows:
\$50	
IT IS FURTHER ORDERED THAT & XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	ndictment as to the defendant is DISMISSED
IT IS FURTHER ORDERED that the defendant shall pay to imposed as a fine, restitution or special assessment, amount imposed as a cost of prosecution. Until all fine paid, the defendant shall immediately notify the United and address.	The defendant shall pay to the clerk of the court any es, restitution, special assessments and costs are fully
IT IS FURTHER ORDERED that the clerk of the court States marshal of this district.	deliver a certified copy of this judgment to the United
☐ The Court orders commitment to the custody of the	Attorney General and recommends:
December 2, 1988	
Date of Imposition of Sentence	
24 Jule Dook	person makes make ( first ) go
Signature of Judicial Officer	A Server of the Control of the Contr
H. Dale Cook, Chief United States District Judge	the large of the statement
Name and Title of Judicial Officer	in this Secret. Jeck C. Säver, Stork
December 2, 1988	n 2 concles
Date	By Reputy
RET	URN
I have executed this Judgment as follows:	
Defendant delivered on	a
	Aborico Atlantico de la companya de
General, with a certified copy of this Judgment in a Crimi	, the institution designated by the Attorney nal Case.
	United States Marshal

### FILED

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

DEC -7 1988

UNITED STATES OF AMERICA,

Jack C. Silver, Clerk U.S. DISTRICT COURT

Plaintiff,)

vs.

No. 88-CR-060-001-B

STEVEN HAROLD FREEMAN,

Defendant.)

#### ORDER

This matter comes before the Court on Defendant Steven Harold Freeman's motion to reduce his sentence under Fed.R. Cr.P. 35.

On September 20, 1988 Defendant was sentenced to a term of five (5) years incarceration and \$451.17 restitution for violation of 42 U.S.C. \$403(g)(1).

The Court has reviewed the sentence, the pleadings and Defendant's letter to the Court and grants the motion. Defendant's sentence is hereby reduced from five years to four year incarceration and \$451.17 restitution to the Bank of Oklahoma, Tulsa, Oklahoma, as directed by the United States Probation Office.

Dated this \_\_\_\_\_\_day of December, 1988.

THOMAS R. BRETT UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA 6 1989

UNITED STATES OF AMERICA,

Plaintiff,

No. 86-CR-30-B

ROY LANIER,

Defendant.

#### ORDER

This matter comes before the Court upon Defendant, Roy Warren Lanier's Motions to Correct an Illegal Sentence. On July 29, 1988, this Court sentenced the Defendant for crimes committed on March 14, 1986. Lanier pleaded guilty to violating 21 U.S.C. §§ 841(a)(1) and 846. This Court sentenced Lanier to 7 years imprisonment for committing these offenses.

Defendant asserts the maximum penalty at the time of sentencing was 5 years. The maximum penalty for violating 21 U.S.C. §§ 841(a)(1) and 846 was 5 years for first time offenders. This is not the Defendant's first conviction, however. The Defendant pleaded guilty to possession of methamphetamine on December 15, 1982, and again pleaded guilty to possession of methamphetamine on May 16, 1983. The maximum sentence the Court could have imposed on subsequent offenders was 10 years; therefore, the seven year sentence imposed upon the Defendant was proper and the Motion is hereby denied.

Lanier also seeks reconsideration of the Order entered November 4, 1988. As the merits of Defendant's arguments were addressed in that Order and the Defendant presents no basis for reconsideration, the Motion is also denied.

IT IS SO ORDERED, this \_\_\_\_\_ day of December, 1988.

THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

FILES

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

DEC 5 1988

UNITED STATES OF AMERICA,  Plaintiff,	Jack C. Siege, K  II. S. DISTRICT COURT
vs.	) No. 83-CR-133-B
GERARDO A. GOMEZ,	) No. 88-C-1276-B
Defendant.	

#### ORDER

This matter comes before the Court upon Defendant, Gerardo A. Gomez's Motion to Vacate, Set Aside or Correct a Sentence pursuant to 28 U.S.C. §2255. Upon consideration of the facts and the relevant authority, the Motion is denied.

Gomez asserts that his sentence should be vacated because his counsel did not allow the Defendant to testify at trial out of fear of prejudice. Four grounds are properly within the scope of a motion to vacate, set aside or correct a sentence: (1) that the sentence imposed was in violation of the Constitution or laws of the United States, (2) that the court was without jurisdiction to imposed such sentence, (3) that the sentence was in excess of the maximum authorized by law, and (4) that the sentence is otherwise subject to collateral attack. 28 U.S.C. §2255.

For purposes of a motion to vacate a sentence, the proper standard for judging the adequacy of representation is whether the assistance rendered was within the range of competence demanded of a criminal defense attorney, not whether the advice was right or wrong. McMann v. Richardson, 397 U.S. 759, 771 (1970).

"[A]bsent the incompetence of counsel or some other exceptional circumstance, a defendant



will be bound by the decisions of his counsel. Mistakes of judgment on the part of counsel, or mistakes of tactics, strategy or policy in the course of a criminal trial do not constitute grounds for a later collateral attack pursuant to Section 2255."

United States v. Nolan, 571 F.2d 528, 534 (10th Cir. 1978), citing Frand v. United States, 301 F.2d 102 (10th Cir. 1962).

This Court presided over the Defendant's trial and concludes that defense counsel's actions did not amount to incompetence or ineffective assistance. Therefore, the Defendant's Motion to vacate is denied.

and the second of the set of the second

IT IS SO ORDERED, this \_\_\_\_\_\_day of December, 1988.

THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

	NORTHERN	_ DISTRICT OF	OKLAH0I	MA	IN OPEN CC	יאטנ
	UNITED STATES OF AMERICA			ŗ	MEEC 2 - 19	88
	V. EARL ORLANDO WHITE 2226 North Main	Case Nu			U.S. DISTRICT	Cler COU
	Tulsa, Oklahoma 74106	Oase Nu	·	88-CR-024-001-	/	
	(Name and Address of Defendant)			m Goodwin Itorney for Defer		
THE DEF	FENDANT ENTERED A PLEA OF:					
☑ guilty ☐ not g	y   nolo contendere] as to count(s)  uilty as to count(s)	One (1) of the Info	rmation			, and 
「HERE \ ☑ findi	WAS A: ng □ verdict] of guilty as to count(s	One (1) of the I	nformation			
☐ judgi	WAS A:  ng					·
	FENDANT IS CONVICTED OF TH			Cocaine, Misdemo	eanor.	

### IT IS THE JUDGMENT OF THIS COURT THAT:

the imposition of sentence is hereby suspended and the defendant placed on probation for a period of Three (3) Years and fined \$1,000.00 to be paid at a rate as determined by the U. S. Probation Office.

IT IS FURTHER ORDERED that the defendant shall participate in a drug aftercare program administered by the U. S. Probation Office.

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- associate only with law-abiding persons and maintain reasonable hours;
- work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- not leave the judicial district without permission of the probation officer;
- notify your probation officer immediately of any changes in your place of residence; (5)

Defendant delivered ontoto	
Defendant delivered ontoto	
	a
I have executed this Judgment as follows:	
RETURN	By Reputy  Deputy
December 2, 1988  Date	
Name and Title of Judicial Officer	in table to be displayed a Silver, Clark
H. Dale Cook, Chief U. S. District Judge	grand and the state of the stat
Signature of Judicial Officer	
December 2, 1988  Date of Imposition of Sentence	
	iai and iccommends.
IT IS FURTHER ORDERED that the clerk of the court deliver a certificates marshal of this district.   The Court orders commitment to the custody of the Attorney Gene	
IT IS FURTHER ORDERED that the defendant shall pay to the United S imposed as a fine, restitution or special assessment. The defendant amount imposed as a cost of prosecution. Until all fines, restitution, paid, the defendant shall immediately notify the United States attorned and address.	t shall pay to the clerk of the court any special assessments and costs are fully
on the motion of the United States.	WW DISIMISSED
IT IS FURTHER ORDERED THAT &&XXXXX the Original Indictment	is xxxxx DISMISSED
\$25	
IT IS FURTHER ORDERED that the defendant shall pay a total special asspursuant to Title 18, U.S.C. Section 3013 for count(s) One of the Information	
during the probation period.	